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*Of Attorneys for Plaintiff Jacob Wakeman,  
by and through his Guardian ad Litem Kristina Ensbury*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

JACOB WAKEMAN, by and through his  
Guardian ad Litem KRISTINA ENSBURY,

Case No.: 3:21-cv-00200-SB

Plaintiff,

DECLARATION OF JACOB  
WAKEMAN

v.

EAGLE WEST INSURANCE COMPANY,

Defendant.

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I, JACOB WAKEMAN, under penalty of perjury, do hereby declare:

1. In early December 2017, I had known Cainen Gaige for around a month. At that time, Cainen lived with his parents at their home in The Dalles. Both Cainen and I were 16 years old.
2. In late November and early December 2017, before the date of my injury, Cainen's father saw Cainen and me playing with an AR-15 rifle in Cainen's parents' house on at least three occasions. On one of those occasions, Cainen's father told Cainen to get rid of the rifle. I did not see or hear Cainen's father say anything else to Cainen about getting rid of the rifle other than on that

one occasion. Cainen did not in fact get rid of the rifle.

3. Cainen told me that his father had purchased ammunition for the AR-15 rifle and had given the ammunition to Cainen.

4. On December 9, 2017, I visited Cainen at his parents' house.

5. At around 1:00 p.m. on that day, Cainen started pointing the AR-15 rifle at me and jabbing me with it. I did not know whether he intended to hurt me with it or just to frighten me, but I knew that the rifle was loaded and that its safety was disengaged.

6. While this was happening, the rifle discharged and I was hit with the bullet. I do not know if Cainen intended to pull the trigger or not.

7. The bullet struck me in the neck, then passed through my neck into my arm, then passed through and exited my arm, leaving two entrance wounds and two exit wounds. My injuries were serious, life-threatening, and extensive.

8. Mid-Columbia Fire and Rescue rushed me to the Mid-Columbia Medical Center where I was initially treated by a trauma team. After I was stabilized, I was flown to Oregon Health and Sciences University by a fixed-wing Life Flight Network aircraft.

9. I was hospitalized at OHSU from December 9 to 21, 2017, where I underwent a laryngoplasty and received other treatment.

10. My injuries have required me to go through significant subsequent physical therapy and other rehabilitation treatment. Some of my injuries may be permanent, and some put me at risk for vocal problems and swallowing difficulties later in life.

11. I have suffered significantly as a result of my injuries, including terrible pain but also emotional trauma, including fear, anxiety, and depression caused both by the grueling course of recovery from my injuries and by the trauma of the shooting incident itself.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Executed this 2<sup>nd</sup> day of August, 2021, at The Dalles, Oregon.

By /s/ Jacob Wakeman  
JACOB WAKEMAN